
FORM SUMMARY

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| Name of Form: | Capias |
| Form Number: | JD-1714 |
| Statutory Reference: | §§48.28 and 938.28, Wisconsin Statutes |
| Benchbook Reference: | JV 2-28 |
| Purpose of Form: | To order law enforcement to take a person (generally a child/juvenile) into custody |
| Who Completes It: | Court personnel for signature by judge/court commissioner |
| Distribution of Form: | Original to court file, copy to law enforcement |
| Accompanying Forms: | Generally none |
| New Form/Modification: | Modification, last update 10/00. |
| Modifications: | Added statute section at bottom of form to be consistent with CCAP version. Added court commissioner to signature line. |
| Comments: | <p>This form is intended to be used in both chapter 48 and chapter 938 proceedings. There is no separate form number for chapter 48.</p> <p>RMC has been advised that some counties may not honor a capias that does not include reference to the underlying statutory "offense." Although such a reference is required in an arrest warrant, no similar statutory requirement is needed for a capias. Further, a juvenile capias does not necessarily originate as a result of a criminal act for which there is an underlying statutory "offense." This is further complicated by the fact that a capias may be issued for a parent of a child/juvenile. If it is believed that a reference should be made, RMC recommends including such language under the "special directions/instructions" box. This box can also be used for such things as:</p> <ul style="list-style-type: none">• directions to law enforcement as to what they are to do with the child when apprehended;• whom law enforcement is to contact upon apprehension;• special identifying physical characteristics of the juvenile, such as tatoos, aliases, etc.;• special warnings concerning the dangerousness of the particular individual;• comments about locations or places where the subject is known to frequent or acquaintances with whom the individual is known to associate. |
| About this form: | <p>This form is the product of the Wisconsin Records Management Committee, a committee of the Director of State Court's Office and a mandate of the Wisconsin Judicial Conference.</p> <p>If you have additional information that does not change the meaning of the form, attach it on a separate page. The form itself shall not be altered.</p> |